

REQUIRES MONITORING
OR STAFF ACTION NO

COMMISSION DIRECTIVE

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>January 31, 2006</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2004-90-WS -</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		<u></u>

SUBJECT:

DOCKET NO. 2004-90-W/S – Total Environmental Solutions, Inc. (TESI) - Application for Approval of an Adjustment of Rates and Charges for Water and Sewer Services - Discuss this matter with the Commission.

COMMISSION ACTION:

At the request of the parties in Docket #2004-90-W/S, the original three- Commissioner panel that heard the case prior to appeal agreed to hear the parties' arguments on remand from the Circuit court.

After hearing those arguments, I move that the panel find that the Circuit Court expressly remanded the case for the purpose of the Commission making a determination as to an appropriate current, single operating margin based on the record.

I further move that the parties file briefs and proposed orders, citing to the record, which set out what an appropriate single and current operating margin should be. Those filings would be due 30 days after the issuance of the order based on this motion. I further move that the panel reserve the right to hold further oral arguments, if necessary, after the filing of the parties' documents.

PRESIDING Hamilton

Session: Regular

MOTION YES NO OTHER

Time of Session 2:30 PM

CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Panel
FLEMING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PNOP
HAMILTON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PNOP
HOWARD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PNOP
MITCHELL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Panel
MOSELEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Panel
WRIGHT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PNOP

APPROVED _____
 APPROVED STC 30 DAYS _____
 ACCEPTED FOR FILING _____
 DENIED _____
 AMENDED _____
 TRANSFERRED _____
 SUSPENDED _____
 CANCELED _____
 SET FOR HEARING _____
 ADVISED _____
 CARRIED OVER _____
 RECORDED BY T. DeSanty